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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/379,385	08/23/1999	RICHARD NEY	02950.P015	1209

7590

05/22/2003

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EXAMINER

DIXON, THOMAS A

ART UNIT

PAPER NUMBER

3629

DATE MAILED: 05/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/379,385

Applicant(s)

NEY ET AL.

Examiner

Thomas A. Dixon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 March 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 3/12/03 have been fully considered but they are not persuasive.
2. Claims 1, 14 and 20 have been amended
3. The objections to the drawings are maintained.
4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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7. Claims 1, 14, 27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Specifically, it is unclear which entry of the cumulative record is the "relevant entry" or how the determination is made as to which record is relevant. Therefore the phrase will be given no weight.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

6. Claims 1-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Kuhn (6,263,049).

As per Claim 1.

receiving an interaction record including interaction information describing a customer interaction, see column 7, lines 10-43 and figure 3;

identifying a cumulative record to which the interaction contributes, see column 7, lines 31-43; and

modifying the cumulative record to reflect the interaction contained within the interaction record, see column 7, lines 31-43

wherein the cumulative record includes a plurality of entries and wherein each entry of the cumulative record is associated with a data operation that determines how the cumulative record is modified, see column 6, lines 12-34.

As per Claim 2.

Kuhn ('049) discloses all the limitations of claim 1.

Kuhn ('049) further discloses the identification of the cumulative record is made utilizing time information included within the interaction information, see column 7, lines 16-25.

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As per Claim 3.

Kuhn ('049) discloses all the limitations of claim 1.

Kuhn ('049) further discloses the identification of the cumulative record is made utilizing data type information included within the interaction information, see column 7, lines 16-25.

As per Claim 4.

Kuhn ('049) discloses all the limitations of claim 1.

Kuhn ('049) further discloses the identification of the cumulative record is made utilizing source information identifying a customer interaction system on which the customer interaction described by the interaction information occurred, see column 7, line 664 – column 8, line 40.

As per Claim 5.

Kuhn ('049) discloses all the limitations of claim 1.

Kuhn ('049) further discloses the identification of the cumulative record includes constructing a key, utilizing interaction information that is mapped to the cumulative record, see column 7, lines 10-43.

As per Claim 6.

Kuhn ('049) discloses all the limitations of claim 1.

Kuhn ('049) further discloses the plurality of cumulative records comprising a series of rows and columns, see figure 3.

As per Claim 7.

Kuhn ('049) discloses all the limitations of claim 1.

Kuhn ('049) further discloses the interaction information comprises a plurality of information items and the modification of the cumulative record comprises performing a data operation with respect to the cumulative record, see column 7, lines 10-43.

As per Claim 8.

Kuhn ('049) discloses all the limitations of claim 7.

Kuhn ('049) further discloses each of the processed information items being assigned to a respective column within a result set consisting of a plurality of records, each of the columns of the result set having a respective data operation associated therewith, see figure 3.

As per Claim 9.

Kuhn ('049) discloses all the limitations of claim 8.

Kuhn ('049) further discloses a data operation associated with the respective column comprises a copy operation, see figure 3 (322 Edit pulldown).

As per Claim 10.

Kuhn ('049) discloses all the limitations of claim 1.

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Kuhn ('049) further discloses the cumulative record contains interaction derived from a plurality of records for a predetermined time, see figure 5 (504, 508).

As per Claim 11.

Kuhn ('049) discloses all the limitations of claim 1.

Kuhn ('049) further discloses the cumulative record is stored within a database as part of a summarization record of customer interactions over a predetermined time, the summarization record comprising a plurality of cumulative records, see figure 3 and column 8, lines 36-48.

As per Claim 12.

Kuhn ('049) discloses all the limitations of claim 1.

Kuhn ('049) further discloses the interaction information includes, see figure 3, source (312), data (320), time (316) and talk time (318).

As per Claim 13.

Kuhn ('049) discloses all the limitations of claim 1.

Kuhn ('049) further discloses the customer interaction system comprises an automatic call distributor, see column 4, lines 4-17, and a computer telephony integration server, see column 4, lines 18-22.

As per Claim 14.

Kuhn ('049) discloses:

a first process to receive a first record including interaction information describing a customer interaction and to identify a cumulative record to which the interaction contributes, see column 7, lines 10-43 and figure 3; and

a second process to modify the cumulative record to reflect the interaction contained within the interaction record, see column 7, lines 31-43,

wherein the cumulative record includes a plurality of entries and wherein each entry of the cumulative record is associated with a data operation that determines how the cumulative record is modified, see column 6, lines 12-34.

As per Claim 15.

Kuhn ('049) discloses all the limitations of claim 14.

Kuhn ('049) further discloses the identification of the cumulative record is made utilizing time information included within a first record, see column 7, lines 16-25.

As per Claim 16.

Kuhn ('049) discloses all the limitations of claim 14.

Kuhn ('049) further discloses the information of the cumulative record is made utilizing data type information included within the interaction information, see column 7, lines 16-25.

As per Claim 17.

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Kuhn ('049) discloses all the limitations of claim 14.

Kuhn ('049) further discloses the identification of the cumulative record is made utilizing source information identifying a customer interaction system on which the customer interaction described by the interaction occurred, see column 7, line 64 – column 8, line 40.

As per Claim 18.

Kuhn ('049) discloses all the limitations of claim 14.

Kuhn ('049) further discloses the identification of the cumulative record includes constructing a key, utilizing interaction information that is mapped to the cumulative record, see column 7, lines 10-43.

As per Claim 19.

Kuhn ('049) discloses all the limitations of claim 14.

Kuhn ('049) further discloses the plurality of cumulative records comprising a series of rows and columns, see figure 3.

As per Claim 20.

Kuhn ('049) discloses all the limitations of claim 14.

Kuhn ('049) further discloses the interaction information comprises a plurality of information items and the modification of the cumulative record comprises performing a data operation with respect to the cumulative record, see column 7, lines 10-43.

As per Claim 21.

Kuhn ('049) discloses all the limitations of claim 20.

Kuhn ('049) further discloses each of the processed information items being assigned to a respective column within a result set constituting a plurality of records, each of the columns of the result set having a respective data operation associated therewith, see figure 3.

As per Claim 22.

Kuhn ('049) discloses all the limitations of claim 20.

Kuhn ('049) further discloses a data operation associated within the respective column comprises a copy operation, see figure 3 (322 Edit pulldown).

As per Claim 23.

Kuhn ('049) discloses all the limitations of claim 14.

Kuhn ('049) further discloses the cumulative record contains interaction information derived from a plurality of records for a predetermined time, see figure 5 (504, 508).

As per Claim 24.

Kuhn ('049) discloses all the limitations of claim 23.

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Kuhn ('049) further discloses the cumulative record is stored within a database as part of a summarization record of customer interactions over a predetermined time, the summarization record comprising a plurality of cumulative records, see figure 3, and column 8, lines 36-48.

As per Claim 25.

Kuhn ('049) discloses all the limitations of claim 14.

Kuhn ('049) further discloses the interaction record includes, see figure 3, source (312), data (320), time (316) and talk time (318).

As per Claim 26.

Kuhn ('049) discloses all the limitations of claim 14.

Kuhn ('049) further discloses the customer interaction system comprises an automatic call distributor, see column 4, lines 4-7 and a computer telephony integration server, see column 4, lines 18-22.

As per Claim 27.

Kuhn ('049) discloses:

receiving an interaction record including interaction information describing a customer interaction, see column 7, lines 10-43 and figure 3;

identifying a cumulative record to which the interaction contributes, see column 7, lines 31-43; and

modifying the cumulative record to reflect the interaction contained within the interaction record, see column 7, lines 31-43,

wherein the cumulative record includes a plurality of entries and wherein each entry of the cumulative record is associated with a data operation that determines how the cumulative record is modified, see column 6, lines 12-34.

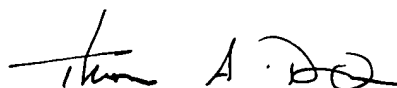
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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Dixon whose telephone number is (703) 305-4645. The examiner can normally be reached on Monday - Thursday 6:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (703) 308-2702. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

A handwritten signature in black ink, appearing to read 'Thomas A. Dixon', is positioned above the printed name.

Thomas A. Dixon
Examiner
Art Unit 3629

May 20, 2003